

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

I. Status of the claims

Claim 1 is pending. Claim 1 has been amended to delete “and enzymatically active fragments thereof” and to replace the abbreviation “LPAAT” with “lysophosphatidic acid acyltransferase.”

II. Specification/Informalities

Applicants have amended the first paragraph of the application to contain specific reference to the status of prior applications in this patent lineage.

Applicants have amended the title of the invention as suggested by the Examiner.

Applicants have amended the specification to incorporate the appropriate sequence identifiers (“SEQ ID NO:”) that are associated with the various sequences denoted in the application.

Applicants have replaced the abbreviation “LPAAT” with “lysophosphatidic acid acyltransferase” as suggested by the Examiner.

Accordingly, Applicants believe that there no longer exists any informalities with the specification.

III. Drawings

Applicants thank Examiner Steadman for discussing the drawing objections with the undersigned in mid-January of this year. Applicants understand that, so long as the figure legends accurately relate the sequence identifiers that correspond to the depicted sequences in Figures 1-5 and 9-11, that it is not necessary to revise the figures themselves.

Accordingly, Applicants have amended the figure legends under the Brief Description of the Drawings to incorporate the appropriate SEQ ID NOs.

Applicants have amended Figures 1-5 and 9-11, however, so that multiple sheets of the same figure are identified by the same figure number followed by a capital letter, *e.g.*, Figure 1A, Figure 1B, *etc.*, instead of Figure 1 continued, as originally filed. Accordingly, Applicants assert that the drawings comply with 37 C.F.R. 1.84(u)(1).

IV. Claim 1 is definite and enabled for the polypeptide of SEQ ID NO: 13

Applicants have deleted “and enzymatically active fragments thereof” from claim 1 and replaced the abbreviation “LPAAT” with “lysophosphatidic acid acyltransferase.” For this reason, many of the present rejections are moot. That is, the rejection of claim 1 under 35 U.S.C. § 112, second paragraph (page 5 of the Office Action) and 35 U.S.C. § 112, first paragraph (pages 6 and 8) are not applicable.

Hence, claim 1 is drawn to an isolated polypeptide that has lysophosphatidic acid acyltransferase activity and which comprises the amino acid sequence SEQ ID NO: 13. The Examiner notes that the specification is enabled for the polypeptide of SEQ ID NO: 13. See subsection “[14]” of the Office Action at page 8. For at least these reasons, Applicants respectfully request that these rejections be withdrawn.

V. Baker *et al.* does not teach an isolated polypeptide having the amino acid sequence depicted in SEQ ID NO: 13 and, therefore, does not anticipate claim 1

Claim 1 is rejected under Section 102(e) as allegedly anticipated by Baker *et al.* (U.S. patent application publication 2003/0049771 A1). The reason set forth is that SEQ ID NO: 338 of Baker comprises an enzymatically active fragment of SEQ ID NO: 13.

For the purposes of expediting prosecution, and without acquiescing to the rationale relied on to reject claim 1 in light of Baker, Applicants have deleted the “enzymatically active fragment” embodiment from claim 1. Accordingly, Baker does not anticipate an isolated polypeptide comprising the amino acid sequence SEQ ID NO: 13. Applicants respectfully request, therefore, that this rejection be withdrawn.

VI. Conclusion

Applicants believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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